



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/083,150	05/22/1998	BOUDIAF BOUSSOIRA	057250306000	3636
7590	06/01/2004		EXAMINER	
FINNEGAN HENDERSON FARABOW GARRETT & DUNNER 1300 I STREET N W WASHINGTON, DC 200053315			WEBMAN, EDWARD J	
			ART UNIT	PAPER NUMBER
			1617	

DATE MAILED: 06/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Paper No. 20040503

Application Number: 09/083,150
Filing Date: May 22, 1998
Appellant(s): BOUSSOUIRA ET AL.

MAILED
JUN 01 2004
GROUP

N. WANG
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 5/3/04.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Invention

The summary of invention contained in the brief is correct.

(6) Issues

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

Appellant's brief includes a statement that ^{the}claims do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

^{The following} prior art is relied upon by the examiner in the rejection of the claims under appeal.

5,449,519	WOLF	9-1995
5,679,374	FANCHON	10-1997
5,569,651	GARRISON	10-1996

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-28, 33-35, 37 are rejected under 35 U.S.C. 103. This rejection is set forth in prior Office Action, Paper No. 8/29/03.

(11) Response to Argument

Applicants ~~counted~~^{contend} that Wolf does not teach applicants' claimed polymer, but rather, a complex. Applicants further contend that the polymer is chemically modified, pointing to language in Wolf et al that "that salicylic acid will react with the free amino groups on the carrier molecule to form a complex." However, applicants ignore the first sentence of the paragraph (column 3 lines 10-12) which states that "Salicylic acid and Resorcinol have free acid groups which will ionically bond to the free amino groups of proteins and polymers." The examiner opines that in such ionic bonding the chemical structure of the polymer remains unchanged. Applicants, contrary to their intent, support the examiner's position by citing to column 2 lines 7-11 which discloses the dissociation of the Keratolytic compound from the carrier molecule. That is, the Keratolytic compound can dissociate because the binding applicants argue is ionic rather covalent binding.

For the above reasons, it is believed that the rejections should be sustained.

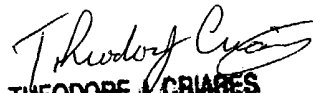
Application/Control Number: 09/083,150
Art Unit: 1617

Page 5

Respectfully submitted,


Webman/tgd
May 4, 2004

Conferees


THEODORE J. CRANES
PRIMARY EXAMINER
GROUP 1200

FINNEGAN HENDERSON FARABOW
GARRETT & DUNNER
1300 I STREET N W
WASHINGTON, DC 20005-3315


EDWARD J. WEBMAN
PRIMARY EXAMINER
GROUP 1500


SREENI PADMANABHAN
SUPERVISORY PATENT EXAMINER